

HOME OCCUPATION

THE REQUIREMENTS FOR A HOME OCCUPATION CAN BE FOUND IN THE DEFINITIONS SECTION (ARTICLE II) OF THE ZONING ORDINANCE AS WELL AS ARTICLE IV SECTION 403.D.9

A LETTER DESCRIBING IN DETAIL HOW THE APPLICANT WILL MEET THE ABOVE REFERENCED REQUIREMENTS MUST ACCOMPANY ANY APPLICATION FOR A HOME OCCUPATION.

THE FOLLOWING IS A GENERAL SUMMARY OF WHAT WE NEED TO KNOW IN ORDER TO PROCESS AN APPLICATION FOR A HOME OCCUPATION.

1. HOW MANY SQUARE FEET IS THE PRINCIPAL DWELLING?
2. WILL THE HOME OCCUPATION BE CONDUCTED IN THE DWELLING, OR IN AN ACCESSORY BUILDING?
3. HOW MANY SQUARE FEET WILL BE USED FOR THE HOME OCCUPATION?
4. WILL THERE BE OUTDOOR STORAGE OF MATERIALS, PRODUCTS OR EQUIPMENT?
5. WILL ANY WORK TAKE PLACE OUTDOORS?
6. WILL THERE BE A SIGN TO IDENTIFY THE BUSINESS?
7. WHAT IS THE SIZE OF THE SIGN?
8. WILL THE SIGN BE ILLUMINATED?
9. DO YOU USE ANY VEHICLES FOR THIS BUSINESS?
10. WILL THERE BE ANY DELIVERIES MADE TO THE PROPERTY?
11. WHO WILL MAKE THE DELIVERIES?(IE UPS FEDEX OR COMMON CARRIER)
12. WHAT SPECIFIC EQUIPMENT OR MACHINERY IS USED FOR THIS BUSINESS?
13. HOW MANY OFF STREET PARKING SPACES ARE AVAILABLE FOR THE BUSINESS?
14. HOW MANY TOTAL OFF STREET PARKING SPACES ARE THERE?
15. HOW MANY VEHICLES (TOTAL INCL CUSTOMERS) PER DAY WILL VISIT THE PROPERTY?
16. WHAT WILL BE THE HOURS OF OPERATION?
17. HOW MANY CUSTOMERS WILL BE AT THE PROPERTY AT ONE TIME?
18. WILL THERE BE ANY CHEMICALS USED IN THE BUSINESS?
19. WILL THE USE INVOLVE ANY HAZARDOUS, FLAMMABLE OR EXPLOSIVE SUBSTANCES?
20. HOW WILL YOU ADVERTISE YOUR BUSINESS?
21. HOW MANY PEOPLE WILL WORK AT THE BUSINESS?
22. WILL ANY NON-RESIDENT OF YOUR HOUSEHOLD WORK AT THE BUSINESS?
23. WILL THE HOME OCCUPATION INCLUDE WORK ON ANY VEHICLES?

IN ADDITION, A PLOT PLAN, DRAWN TO SCALE, SHOWING THE LOCATION OF ALL BUILDINGS AND PARKING AREAS MUST BE PROVIDED.

FROM ZONING ORD ART 2 DEFINITIONS

Home Occupation. A routine, accessory and customary non-residential use conducted within or administered from a portion of a dwelling or its permitted accessory building that:

- a. is conducted primarily by a permanent resident of the dwelling;
- b. meets the definition, standards and limitations of a "general home occupation" or a "light home occupation" within the following definitions and Section 403;
- c. only includes uses that are clearly incidental and secondary to the principal residential use; and
- d. does not include any retail or wholesale sales on the premises (other than over the phone and through the mail) nor any industrial use (other than custom crafts and sewing).
- e. See list of prohibited home occupations in Section 403. A home occupation shall comply with the limitations on parking of commercial vehicles that is stated in Section 403.D. under "Residential Accessory Structure." Only one home occupation shall be permitted per dwelling unit. A maximum of two persons who are not related to each other may work in any home occupation.

Home Occupation, General. A type of "home occupation" that meets both of the following standards:

- a. only involves persons working on the premises who are permanent residents of the dwelling plus a maximum of one non-resident working on the premises at any one point in time, and
- b. does not meet the definition of a "Light Home Occupation" (as listed below) and/or the standards for a "Light Home Occupation" as listed in Section 403.

A General Home Occupation shall meet the standards for such use as listed in Section 403.

(Note - In most cases, this use requires approval by the Zoning Hearing Board under Article III.)

Home Occupation, Light. A type of "home occupation" that complies with all of the following standards:

- a. only involves persons working on the premises or routinely operating from the premises who are permanent residents of the dwelling;
- b. does not involve more persons regularly visiting the premises for business purposes than specified in Section 403, but instead primarily involves the operator visiting clients at their home or business;
- c. is limited to only the following types of activities:
 1. office-type work (such as writing, editing, drafting, tax preparation and computer use),
 2. clerical work (such as typing, stenography, addressing and sending mail),
 3. custom sewing and fabric and basket crafts,
 4. creation of visual arts (such as painting, sculpture or wood carving),
 5. sales and surveys over the telephone,
 6. repairs to computers and computer peripherals, and
 7. activities an applicant proves to the satisfaction of the Zoning Officer are closely similar to the above activities and will be able to meet the requirements for a Light Home Occupation as listed in Section 403; and
- d. meets the standards for such use in Section 403.

(Note - This use does not require Zoning Hearing Board approval under Article III.)

FROM ZONING ORD ART 4 REQUIREMENTS FOR SPECIFIC USES

9. Home Occupation. (see definitions in Article II) (includes a Home Professional Office)
- a. The following standards shall apply to both "Light" and "General" Home Occupations:
- 1) The burden of proof shall be upon the applicant to prove that the standards of this Section will be met, especially regarding possible nuisances and truck traffic. Based upon the potential nuisances of a proposed home occupation, the Zoning Hearing Board may determine that a particular type or intensity of use is unsuitable to be a home occupation or that the proposed lot area or setbacks are not sufficient.
 - 2) The home occupation shall be conducted completely indoors, and may be within a principal or accessory residential building. The total amount of floor area of all buildings used for a home occupation shall not be greater than 25% of the total floor area of the principal dwelling unit.
 - 3) There shall be no outdoors operations or outdoors storage of materials, products or equipment.
 - 4) Signs and Displays. There shall be no use of show windows, business display or advertising visible from outside the premises, except as is specifically permitted for a General Home Occupation.
 - 5) Trucks - The use shall fully comply with the requirements listed under "Residential Accessory Use or Structure" in this Section 403 regarding parking of trucks. The home occupation shall not require regular servicing by or deliveries by a vehicle with an aggregate gross vehicle weight of more than 12,000 pounds, except for routine service by package delivery companies.
 - 6) Uses permitted as a home occupation include but are not limited to: tradesperson's headquarters, art studio, office, custom sewing, tax preparation, catering for off-site consumption, installation of auto accessories (that are not part of the drive-train) or musical instruction.
 - 7) The following uses shall not be permitted as a home occupation: veterinarian office; non-household stable; kennel; funeral home; retail store (other than occasional sale of custom crafts and art produced on the premises); restaurant; mechanical auto repair or body work (except farm equipment repair is permitted as accessory to an agricultural use); spray painting of vehicles; trucking company terminal; welding; pesticide company; hotel or motel; manufacturing (other than custom crafts such as ceramics); or boarding house.
 - 8) Nuisances. No machinery or equipment shall be permitted that produces noise, noxious odor, vibration, glare, electrical interference or radio or electromagnetic interference beyond the boundary of the property. Only general types and sizes of machinery that are typically found in dwellings for hobby or domestic purposes shall be permitted. No use shall generate noise or glare in excess of what is typical in a residential neighborhood.
 - 9) The use shall also comply with all environmental and nuisance control regulations of this Ordinance, including Article V.
 - 10) Parking and Loading - In any case, a home occupation shall include an absolute minimum of one off-street parking space (which may include a space for the dwelling). The applicant shall prove to the satisfaction of the Zoning Hearing Board in the case of a General Home

Occupation and the Zoning Officer in the case of a Light Home Occupation that the use will include adequate off-street parking and loading spaces.

a) The Board shall determine the maximum number of vehicles expected to be at the premises at any period of time, including overlapping customers. The amount of parking in the front yard shall be held to a minimum to maintain a residential character.

b) The Board may allow appropriate, safe on-street areas to be used to meet a portion of parking needs, if there is sufficient paved width of the street.

c) If additional parking is needed beyond what can be accommodated using appropriate on-street spaces and a residential-style driveway, then the Board may require that such parking be provided in the rear of the home if practical and may deny the use if such rear parking cannot be accommodated.

d) Any needed loading operations shall be able to be conducted without interfering with traffic on public streets.

11) Building Appearance - The exterior of the building and the lot shall not be changed in such a way as to decrease its residential appearance, except for permitted parking spaces and the permitted sign.

12) Hours - A home occupation shall not be conducted in a way that is perceptible in external effects (such as but not limited to noise, odors, traffic) from beyond the lot line between the hours of 9:00 p.m. and 7:30 a.m. This time limit shall also apply to any loading or unloading of vehicles on the property or on a street that causes noise to adjoining residents.

13) Hazardous Substances - The use shall not involve the storage or use of hazardous, flammable or explosive substances, other than types and amounts commonly found in a dwelling. The use shall not involve the use or storage of toxic substances.

14) Advertising - The address of the home occupation shall not be advertised in such a way that would encourage customers or salespersons to come to the property without an appointment.

15) Law or Medical Office - The main office of a medical doctor, chiropractor, dentist or attorney shall not be permitted as a home occupation.

16) Hazardous Substances - The applicant shall demonstrate to the satisfaction of the Township that the intended method of handling and disposal of any hazardous materials will comply with all Federal and State laws and regulations.

17) Tradespersons - In no case shall more than one worker who is a resident of the dwelling need to regularly visit the residential property, such as to load or unload trucks on or adjacent to the property. See above restrictions on truck parking. See Section 306.B., which allows existing barns to be used for certain types of storage.

18) If applicable, the Township may require an applicant to prove compliance with State Department of Labor and Industry requirements.

b. General Home Occupation - In addition to the standards in part "a." above, the following shall apply to a General Home Occupation:

1) Only the following sign shall be permitted: one non-illuminated sign with a maximum sign area of one square foot on each of two sides, with a maximum height of eight feet. Such sign shall not be located within the existing right-of-way of a street, unless it is attached to a mailbox.

2) Number of Employees - A total maximum of one person shall work on the premises who is not a permanent resident of the dwelling, however:

(a) in no case shall a barber or beauty shop include any non-resident employee(s).

3) Instruction - Any instruction or tutoring shall be limited to a maximum of: one student on the property at any one time and six students on the property on any day.

4) Barber/Beautician - Any barber, beautician, hair stylist or similar personal service use shall only be permitted as a home occupation if: 1) only one person may work on the premises, who must be a permanent resident of the dwelling, 2) there is a 15 feet minimum building setback from all residential lot lines and 3) if the property abuts a collector or arterial street.

5) If the home occupation involves work occurring on a vehicle(s), such vehicle(s) shall not be parked on the lot or on abutting streets overnight.

6) Traffic - The use shall not routinely involve the arrival at the property for business purposes of more than 10 vehicles per day or the parking of more than four vehicles of non-residents at any one time.

7) The Zoning Hearing Board may determine that a proposed type of home occupation is significantly more intense than the average home occupation, and that the intensity creates a need for a larger than average setback. Such finding may be sufficient to deny an application.

c. Home Occupation, Light- In addition to the standards in part "a." above, the following standards shall apply to a Light Home Occupation:

1) Traffic - The use shall not routinely involve the arrival at the property for business purposes of more than four vehicles per day. The use shall not require a need for parking beyond what is typically provided for a dwelling.

2) Only persons who are permanent residents of the dwelling shall work on the premises.

3) No sign shall identify the business.